

UNITED STATES DISTRICT COURT

for the
Western District of WashingtonIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

FACEBOOK ACCOUNTS OF JESSE WOLF-JOHN

Case No. MJ18-216

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 2252(a)(2)	Receipt of Child Pornography
18 U.S.C. § 2252(b)(4)	Possession of Child Pornography

The application is based on these facts:

See attached Affidavit

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Special Agent Jack F. Kane, FBI

Printed name and title

Sworn to before me pursuant to CrimRule 4.1.

Date:

5/10/18

Judge's signature

Brian A. Tsuchida, Chief United States Magistrate Judge

Printed name and title

City and state: Seattle, Washington

AFFIDAVIT

STATE OF WASHINGTON

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COUNTY OF WHATCOM

I, Jack F. Kane, being first duly sworn under oath, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation assigned to the Bellingham Resident Agency of the FBI's Seattle Field Office. I am an investigative and law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7). My duties as a Special Agent include the full-time investigation of a wide range of federal criminal offenses. Among my responsibilities is to oversee the Northwestern Safe Trails Task Force, which focuses on the investigation of violent crime, narcotics trafficking, and other federal offenses in Northwest Washington's Indian Country.

2. I have been employed as a FBI Special Agent for approximately four years. Prior to becoming an FBI Special Agent, I served as an intelligence officer in the United States Marine Corps for approximately five years.

3. As part of my duties, I investigate criminal violations relating to child exploitation and child pornography. I have received training in the area of child pornography and child exploitation, and have observed and reviewed numerous examples of child pornography in various forms of media, including media stored on digital media storage devices such as computers, tablets, cellphones, etc. I have also participated in the execution of numerous search warrants involving investigations of child exploitation and/or child pornography offenses. I work with federal, tribal, state, and local law enforcement personnel in the investigation and prosecution of crimes involving the sexual exploitation of children.

4. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Facebook to disclose copies of the information (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

5. I make this Affidavit in support of an application for a warrant for information associated with certain social media accounts as detailed below and further described in Attachment A (the SUBJECT ACCOUNTS), which are stored at the premises controlled by Facebook, a social media platform headquartered at 1601 Willow Road, Menlo Park, CA 94025:

<https://www.facebook.com/jesse.wolfjohn>

Facebook.com account identified as id= 100002502186714

6. The facts set forth in this Affidavit are based on my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; the review of documents and records related to this investigation; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience.

7. Because this Affidavit is submitted for the limited purpose of providing sufficient facts necessary to determine whether there is probable cause in support of the application for a search warrant, it does not set forth each and every fact that I or others have learned during the course of this investigation. I have set forth only the facts that I believe are relevant to the determination of probable cause to believe that evidence, fruits, and instrumentalities of violations of 18 U.S.C. §§ 2252(a)(2) & 2252(b) (Attempted Receipt of Child Pornography) and 18 U.S.C. §§ 2252(a)(4) & 2252(b) (Attempted Possession of Child Pornography) will be found in the SUBJECT ACCOUNTS.

I. INTRODUCTION AND BACKGROUND

8. This investigation began in December 2017 when the Swinomish Tribal Police Department received a report that Jesse L. WOLF-JOHN had sent inappropriate text messages to a fourteen-year-old boy. Ultimately, WOLF-JOHN was interviewed and admitted using Facebook Messenger to communicate with two minors in an attempt to begin a sexual relationship with them. He also stated that he had communicated using Facebook Messenger with other young men, whom he believed to be under 18 years of age, for the purposes of receiving images and videos of minors engaged in sexual explicit activity.

II. SUMMARY OF INVESTIGATION

Initial Report Regarding WOLF-JOHN's Contacts with JF

9. On December 13, 2017, Swinomish Tribal Police Department officers received a Child Protective Services (CPS) Intake Report stating that a fourteen-year-old juvenile male ("JF") was alleging that he had been receiving inappropriate text messages from Jesse L. WOLF-JOHN. WOLF-JOHN is 37 years old and a resident and an enrolled member of the Swinomish Tribal Community in La Conner, Washington. The CPS intake report stated that JF informed his school counselor that he had received text messages from WOLF-JOHN that he felt were strange. He reported that in the messages WOLF-JOHN would tell him that he thought he was cute and would ask him to send photographs of himself.

10. As a result of the above report from CPS, Swinomish Police officers spoke with JF's school counselor, who stated JF would likely close down if contacted directly by officers. Officers spoke with JF's mother, who stated JF did not want to talk with officers and that WOLF-JOHN had stopped contacting JF by that time. WOLF-JOHN was later contacted by Swinomish Police Detective James Schwahn for an unrelated case. When interviewed for the unrelated case, WOLF-JOHN agreed to talk about his interactions with JF.

1 11. WOLF-JOHN is currently charged in the Swinomish Tribal Court with
2 Possession of Child Pornography and Sexual Exploitation of Minor.

3 *Interview of Wolf-John*

4 12. On February 14, 2018, WOLF-JOHN was interviewed by Swinomish
5 Police Detective James Schwahn as well as FBI Special Agent Jack Kane. The first
6 interview began at approximately 1009 hours, and was conducted by Detective Schwahn
7 alone. The second interview began at approximately 1437 hours and involved both
8 Detective Schwahn and Special Agent Kane. At the beginning of each interview, WOLF-
9 JOHN was advised of his Miranda Rights, and in both instance WOLF-JOHN stated he
10 understood and would waive his rights. Both interviews were recorded in audio and video
11 with WOLF-JOHN's knowledge.

12 13. In the beginning of the first interview with WOLF-JOHN, he stated that he
13 did not know JF. He did state that he knew JF's mother but only in passing. It should be
14 noted that Det. Schwahn later spoke with JF's mother who informed me that she is
15 actually good friends with WOLF-JOHN's wife and that she has had both WOLF-JOHN
16 and his wife over on multiple occasions. As the interview with WOLF-JOHN progressed
17 he admitted that he knew JF, but stated that he had never had contact with JF of any kind.

18 14. When it was pointed out to WOLF-JOHN that we had knowledge that he
19 had been communicating with JF via Facebook Messenger he admitted that it was true.
20 WOLF-JOHN did state that he is no longer speaking with JF. WOLF-JOHN also
21 eventually admitted that he had been over to JF's house to visit JF's uncle, but that he had
22 never seen (JF) while there.

23 15. WOLF-JOHN described JF as a quiet kid who he believed was looking for
24 someone that he could relate to, and that he believed that he (WOLF-JOHN) was that
25 person. WOLF-JOHN stated that the conversation with JF consisted of normal topics in
26 the beginning and that they got closer over time. Eventually WOLF-JOHN admitted that
27 his communication with JF did get inappropriate towards the end. WOLF-JOHN
28 described the communications as containing sexual innuendo such as over emphasizing

1 words like long and big. WOLF-JOHN had initially stated that he was not gay, so he was
2 asked why he was saying these things to a juvenile male. WOLF-JOHN stated that he
3 was playing “devil’s advocate” and making trouble.

4 16. WOLF-JOHN stated that he continued communicating with JF for a few
5 months before things progressed. He explained that JF began asking him questions like
6 whether or not WOLF-JOHN thought he was pretty, and “why do you like me?” WOLF-
7 JOHN stated that he would tell JF that he was an attractive boy who could go far in life
8 on his looks alone. WOLF-JOHN gave examples such as stating that JF would say that
9 he wished they were together so that he could give WOLF-JOHN a shoulder rub. He also
10 gave the example of how JF would complain to him that his bed was messy and that it
11 was always going to be messy. When asked what that meant to him, WOLF-JOHN
12 stated that he believed JF was implying that it would remain messy because the two of
13 them would mess up the bed together.

14 17. When asked why the messaging between him and JF stopped, WOLF-
15 JOHN explained that JF’s mother told him that he was no longer allowed to come to her
16 house or talk with her son. He explained that she thought they were getting too close. He
17 stated this happened in the beginning of December 2017.

18 18. After being told a number of times that we would be seeking a warrant to
19 get his Facebook Messenger information which would include deleted messages, WOLF-
20 JOHN eventually stated the he “might have gone a little too far.” He explained that he
21 had asked JF to send him full body pictures of himself. He stated that JF never did,
22 adding that he only sent face shots. WOLF-JOHN stated that was the extent of it.

23 19. When confronted with the possibility that JF’s mother had copies of
24 messages between him and her son which were likely more graphic then he had
25 described, WOLF-JOHN again changed his story. WOLF-JOHN then stated that he
26 decided to open up to JF and ask if they could see one another. He stated that he thinks
27 that this might have scared JF. He went on to state that he wanted them to take the next
28 step so he asked JF if he wanted to “stop talking and just go for it?” WOLF-JOHN

1 explained that by “it” he meant sex, but that he was trying to get JF to say the actual word
2 first. When asked if he thought that JF understood what he was getting at, WOLF-JOHN
3 stated that he believed that JF got the point. He stated that JF turned these advances
4 down. WOLF-JOHN admitted that if JF would have said yes that he would have gone
5 through with it. It should be noted that in WOLF-JOHN’s written statement (which he
6 completed following his first interview on February 14, 2018) he stated that he asked JF
7 if he wanted to meet for sex and that JF got scared.

8 20. WOLF-JOHN was then asked if he considered himself bisexual and he
9 stated that he did. He went on to state that he had never had a relationship with a male
10 and that JF would have been his first. WOLF-JOHN explained that his attraction to boys
11 is a new thing for him.

12 21. WOLF-JOHN stated that he would often message with JF while he was at
13 school. He stated that he did not know what school JF attended. He did state that he
14 believed him to be in middle school. When asked, he stated that he understood middle
15 school to consist of the sixth, seventh, and eighth grades, but that he was unsure which
16 grade JF was in.

17 22. WOLF-JOHN was then asked if officers were going to find anything else
18 when they search his Facebook account. He admitted that we will likely see that he was
19 also communicating with “out of towners.” He explained that these were individuals
20 either from other states or in some cases from other countries. WOLF-JOHN first
21 described these individuals as being of the ages of eighteen to twenty five. When pressed
22 on the matter he stated that the youngest was likely sixteen, and then eventually stated
23 fifteen or sixteen. He then went on to talk about going onto different websites such as
24 “Hot males” and “Hot teens.” He talked about viewing pornographic videos that
25 contained teenage males. He stated that he could not say for certain what their ages were,
26 but stated that some appeared to be early teens while others appeared to be late teens. He
27 talked about how the videos would start out with the teens clothed and then they would
28 undress and often have sex. He also spoke about communicating with boys who he said

1 would be “showcasing” themselves wearing little to no clothes. It should be pointed out
2 that in WOLF-JOHN’s written statement, he admitted that these communications were
3 more about getting them to send him naked pictures. He further stated that some of these
4 individuals were in their early to late teens.

5 23. Later, during the second interview of WOLF-JOHN on February 14, 2018,
6 when talking about his relationship with JF, WOLF-JOHN stated that he was trying to
7 see if the “kid” wanted sex, or if he just wanted to keep it intimate where they don’t have
8 to have it. He went on to say that he did not know if the kid was setting him up so he had
9 to be careful on how he approached it. WOLF-JOHN stated that this was the first time he
10 had let the “demon out.” He stated that the internet has made it easier for him to do this.

11 24. When asked if there was anything else that we were going to see on his
12 Facebook account, WOLF-JOHN stated that he was also talking with an underage male
13 from the Philippines. All he stated about this individual was that they would talk about
14 their sexual likes and dislikes.

15 25. WOLF-JOHN made the statement that he was having trouble deciding what
16 he should talk about and what he shouldn’t. We advised him to just tell us the truth. We
17 reminded him again that we were likely going to find it all out and that it would be a
18 good idea for him to just come clean.

19 26. WOLF-JOHN then stated that he had been communicating with one of his
20 oldest son’s friends. He provided us with his first and last name, but for purposes of this
21 affidavit as “TR.” Detective Schwahn knows TR to be a fifteen-year-old male. WOLF-
22 JOHN explained that like with JF, he was unsure whether or not TR was leading him on.
23 WOLF-JOHN stated that TR would come to his house and would sometimes sit close
24 enough to him where he would be leaning up against him. WOLF-JOHN described this
25 as a “different sense of sitting next to you.” He further explained that there would be
26 times when he and TR would hug. WOLF-JOHN described this as a “different touch of a
27 hug.”
28

1 27. WOLF-JOHN talked about how he and TR would communicate with one
2 another on Facebook Messenger. He explained that he began talking with TR about, as
3 he described it, “the chance to make out.” He stated that TR informed him that he was not
4 interested. After telling us about TR, WOLF-JOHN made the statement that this is why
5 he just stays home, “So many miscommunications.” He went on to explain how TR
6 would sit next to him, lean up against him, and at times lay his arm across WOLF-
7 JOHN’s lap. WOLF-JOHN asked, “How are you supposed to think?” He then went on
8 to point out that the last time he messaged him, TR told him that he was about to jump in
9 the shower. WOLF-JOHN emphasized the fact that he said he was getting in the shower
10 as if this was another obvious example of TR flirting with him.

11 28. WOLF-JOHN was then asked if he ever talked with TR about them having
12 sex. WOLF-JOHN stated that TR got to the point where even thinking about talking
13 about it scared him. He stated that he was trying to use certain words (without using the
14 exact words) so that TR would be able to understand what he was talking about. When
15 asked if he thought that TR was able to figure it out he stated that he thinks that TR got
16 the point. WOLF-JOHN then went on to talk about the importance that TR understands
17 that he needs to be more mindful of the mixed signals that he is giving out. He stated that
18 another person might just take what they want.

19 29. WOLF-JOHN went on to talk about how he was a victim of sexual abuse
20 when he was a young child. He stated that he does not want to be the guy who says,
21 “God it happened to me so I’m going to do it to others now.” He explained that he would
22 try to think of ways to ask these kids without getting himself in trouble. He stated that
23 when they turned him down he did not continue to pursue it.

24 ***Interview of Jillian Wolf-John***

25 30. Detective Schwahn later spoke with WOLF-JOHN’s wife, Jillian Wolf-
26 John on February 15, 2018. Jillian Wolf-John asked Schwahn if he thought she should be
27 worried about whether or not her boys were one of WOLF-JOHN’s victims. Det.
28 Schwahn explained to her that at this time we did not have evidence showing that they

1 were; however it could not be ruled out. When Det. Schwahn spoke with Jillian Wolf-
2 John about WOLF-JOHN being released from jail, Schwahn asked her if she was worried
3 about having him home. She stated that she was not because WOLF-JOHN is never left
4 alone with their boys. It should be pointed out that not once did Jillian ever dispute or
5 even question these allegations.

6 *Interview of TR*

7 31. TR was interviewed by Detective Schwahn on February 15, 2018 and again
8 on February 16, 2018. TR stated that he did not recall WOLF-JOHN talking with him
9 about sexual things. He stated that WOLF-JOHN began messaging him through
10 Facebook which he thought was strange. He explained that there was several times when
11 WOLF-JOHN would say confusing things, and that he would not know what he was
12 talking about. TR talked about how WOLF-JOHN would sometimes say weird things
13 that he found creepy and flirtatious. He explained that he had received a message from
14 WOLF-JOHN asking him what he was doing. He stated he responded that he was about
15 to jump in the shower. TR stated that WOLF-JOHN responded by saying something
16 about how he was teasing him. He described another time when WOLF-JOHN messaged
17 him to ask if he was going to stay over for the weekend. TR stated that he has stayed the
18 night at WOLF-JOHN's house in the past because he is friends with his son, but found it
19 strange that WOLF-JOHN would be asking him this.

20 32. TR also stated that he did not recall ever sitting close to WOLF-JOHN and
21 touching him in any way. He did state that he recalled hugging him before, but stated
22 that it was just a quick hug. TR stated that he is seldom around WOLF-JOHN and that
23 when he is WOLF-JOHN acts completely different in person. He stated that in person
24 WOLF-JOHN is quiet and that they don't speak much at all.

25 33. TR described another incident that occurred while spending the night with
26 WOLF-JOHN's son at WOLF-JOHN's home. He described that while late at night he
27 left his friend's bedroom to use the bathroom. He stated that when he returned he went
28 online using his phone. He stated that he then received a message from WOLF-JOHN

1 asking him to come give him a hug before bed. He stated that this made him feel
 2 uncomfortable because this was unusual and had never happened before. He stated that it
 3 was dark in the living room where WOLF-JOHN sleeps, and that he did not respond to
 4 the message, nor did he go out to hug WOLF-JOHN.

5 ***Additional Information from Mother of Third Juvenile***

6 34. Detective Schwahn also spoke with the mother of a third juvenile male who
 7 informed him that her son came to her with concerns about WOLF-JOHN. She explained
 8 that WOLF-JOHN had begun communicating with her thirteen-year-old son through
 9 Facebook Messenger, and that WOLF-JOHN had gone out of his way to talk with him
 10 when he would go to the Village Chevron (where WOLF-JOHN is employed). She
 11 stated that although she did not view anything criminal she has informed WOLF-JOHN
 12 to leave her son alone, and has directed her son to block him on Facebook.

13 ***Attempt to Obtain Information from Facebook via Tribal Court Search Warrant***

14 35. On March 8, 2018, Detective Schwahn applied for and received a warrant
 15 from the Honorable Mark W. Pouley, Chief Judge of the Swinomish Tribal Court,
 16 authorizing the search of the same information in the custody of Facebook that is sought
 17 by this search warrant application. However, Facebook refused to produce information
 18 pursuant to the tribal court warrant, claiming that a tribal court did not have jurisdiction
 19 to issue a warrant for information under the Stored Communication Act, 18 U.S.C. §
 20 2703 *et seq.* Thereafter, I agreed to assist in applying for a federal search warrant for the
 21 same information to aid the Swinomish investigation of WOLF-JOHN.

22 **III. BACKGROUND REGARDING FACEBOOK'S SERVICES**

23 36. Facebook, Inc. owns and operates the free-access social networking website
 24 Facebook.com. Facebook allows its subscribers to establish personal accounts.
 25 Subscribers can then use their accounts to share written news, communications,
 26 photographs, videos, and other information with other Facebook users, and sometimes
 27 with the general public; to purchase and sell things, play games, and engage in numerous
 28 additional computer based activity.

37. A Facebook subscriber typically creates a personal profile using photos of him/herself and a name or nickname their friends and family know. This permits friends and family to find the subscriber's account. Facebook asks subscribers to provide basic contact information. This may include the subscriber's full name, birth date, contact e-mail addresses, physical address (city, state, zip code, and country), telephone numbers, screen names, associated websites, and other personal identifiers. Subscribers can list credit, debit or other financial account numbers for use when making purchases on or through Facebook. Facebook also asks subscribers to create an account password. The password, known only to the subscriber (and anyone to whom s/he gives it) limits access to the account. Only someone logged in with the password can change profile details, profile photographs or privacy settings.¹ Only a person who has logged into the account with a password can post on the "Wall,"² send messages (similar to text messaging), or send friend requests under the identity of the account owner. Facebook subscribers rarely share the password to their accounts. There is little purpose in sharing passwords, because anyone whom the account owner permits can post messages on the user's "Wall."

38. Subscribers can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a subscriber can make profile information, status updates, check-ins, and other posted material available only to himself or herself, to particular Facebook users, to all Facebook users, or to anyone with access to the Internet, including people who are not Facebook users.

39. Facebook subscribers can create personal profiles that include photographs, personal statistics such as birthdate, schooling, employer, lists of personal interests, and other information. Subscribers can also post "check-ins"³ and "status updates" about

¹Subscribers must also be logged into their accounts to make purchases, post adds, make comments, adjust notifications they receive and to change other aspects of their accounts.

² A "Wall" in a particular subscriber's Facebook page is a space where the subscriber and his or her "Friends" (if permitted by the subscriber) can post and respond to status updates, check-ins, messages, images, attachments, and links.

³ A "check-in" accesses the user's mobile device GPS to let friends know exactly where the subscriber is.

1 their whereabouts and actions, as well as links to videos, photographs, articles, and other
2 items available elsewhere on the Internet. Facebook subscribers can also post
3 information about upcoming “events,” such as social occasions, by listing the event’s
4 time, location, host, and guest list.

5 40. A subscriber can also connect directly with individual Facebook users by
6 sending each user a “Friend Request.” If the recipient of a “Friend Request” accepts the
7 request, then the two users will become “Friends” for purposes of Facebook and can
8 exchange communications or view information about each other. Each Facebook user’s
9 account includes a list of that user’s “Friends” and a “News Feed,” which highlights
10 information about the user’s “Friends,” such as status updates, check-ins, profile changes,
11 and upcoming events. Subscribers may also join groups or networks to connect and
12 interact with other users who are members of the same group or network. A Facebook
13 network or group has options for adjusting privacy settings to grant or limit viewing or
14 posting to the group’s page.

15 41. In Facebook’s Photos application, subscribers can upload an unlimited
16 number of albums and photos. The Photos application can capture and store a geometric
17 representation of a face (Known as Faceprint data). Subscribers can “tag” (i.e., label)
18 other Facebook users depicted in a photo or video. When a user is tagged in a photo or
19 video, he or she receives a notification of the tag and a link to see the photo or video.

20 42. For Facebook’s purposes, a subscriber’s “Photoprint” includes all photos
21 uploaded by that subscriber that have not been deleted, as well as all photos uploaded by
22 any user that have that subscriber tagged in them. As uploaded, a digital photo often
23 contains embedded data about when and where it was taken, and other information on its
24 genesis. That information is called Exchangeable image file format (EXIF) information.
25 Facebook “scrapes” this information off photos before placing them onto a page, but
26 retains the original data.

27 43. Facebook users can exchange private messages on Facebook with other
28 users. These messages, which are similar to e-mail messages, are sent to the recipient’s

1 “Inbox” on Facebook, which also stores copies of messages sent by the recipient, as well
 2 as other information. Facebook users can also post comments on the Facebook profiles
 3 of other users or on their own profiles; such comments are typically associated with a
 4 specific posting or item on the profile.

5 44. Facebook captures and retains, for each subscriber account, data regarding
 6 the date, time, place, and IP addresses (IP Logs) used when the subscriber accesses
 7 his/her account; actions taken and items viewed while using the account; and subscriber
 8 geographic location, if that setting is enabled. This data cannot be manipulated by the
 9 subscriber. Facebook also retains, and makes available to the account subscriber, all
 10 information contained in Appendix A, attached and incorporated by reference. Material
 11 posted by the subscriber is retained by Facebook until sometime after it is deleted by the
 12 subscriber.

13 45. In Facebook jargon,

14 • Subscriber “Basic Contact Information” includes subscriber, name,
 15 birth date, email address(es), physical address (city, state, zip, country), all telephone
 16 numbers, screen name and any associated website;

17 • “Basic Subscriber Information (BSI)” is the subscriber’s
 18 identification number, name, email address, date and time stamp of account creation,
 19 registered cellular telephone number, record of recent logins, and whether the
 20 subscriber’s page is publicly viewable; and

21 • A “Neoprint” is an expanded view of a given subscriber profile. It
 22 includes subscriber profile contact information, friend lists; groups and networks of
 23 which the subscriber is a member; “News Feed” information; “Wall” postings; status
 24 updates; links to videos, photographs, articles, and other items; event postings; rejected
 25 “Friend” requests; comments; messages; gifts; pokes; tags; and information about the
 26 subscriber’s access and use of Facebook applications.

27 46. Facebook subscribers may communicate directly with Facebook about
 28 issues relating to their account, such as technical problems, billing inquiries, or

1 complaints from the subscriber or other users. Social networking providers like
2 Facebook typically retain records about such communications, including records of
3 contacts between the subscriber and the provider's support services, as well records of
4 any actions taken by the provider or subscriber as a result of the communications.

5 **VI. INFORMATION TO BE SEARCHED AND REQUEST FOR SEALING**

6 47. Pursuant to Title 18, United States Code, Section 2703(g), this application
7 and affidavit for a search warrant seeks authorization to permit Facebook to assist agents
8 in the execution of the proposed search warrant. Once issued, the search warrant will be
9 presented to Facebook with direction that Facebook identify the accounts described in
10 Attachment A, as well as other subscriber and log records associated with the SUBJECT
11 ACCOUNTS, as set forth in Attachment B. The search warrants will direct Facebook to
12 create an exact copy of the specified accounts and records, which I, and/or other law
13 enforcement personnel will thereafter review for items identified in Section II to
14 Attachment B, for seizure.

15 48. To avoid jeopardizing the investigation (particularly to avoid the risk of
16 WOLF-JOHN attempting to destroy or manipulate evidence in Facebook's custody) and
17 to protect the privacy of WOLF-JOHN and his alleged minor victims, I request that all
18 materials related to the applications for this search warrant be sealed. Therefore, I request
19 that this affidavit and all related items filed with the Court be sealed.

20 //

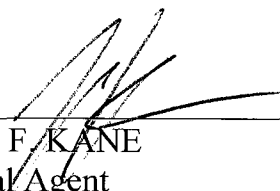
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VIII. CONCLUSION

49. Based on the forgoing, I request that the Court issue the proposed search warrant. This Court has jurisdiction to issue the requested warrants because it is “a court of competent jurisdiction” for purposes of 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Accordingly, by this Affidavit and Warrant, I seek authority for the government to search all of the items specified in Section I, Attachment B, and specifically to seize all of the data, documents and records that are identified in Section II to that same Attachment.


 JACK F. KANE
 Special Agent
 Federal Bureau of Investigation

The above-named affiant provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on May 10, 2018.


 BRIAN A. TSUCHIDA
 Chief United States Magistrate Judge